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2
3 UNITED STATES DISTRICT COURT
4 CENTRAL DISTRICT OF CALIFORNIA

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6 VICKI J. AZNARAN AND
7 RICHARD N. AZNARAN

8 Plaintiffs,

9 v.

10 CHURCH OF SCIENTOLOGY OF
11 CALIFORNIA, INC., et al.

12 Defendants.
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NO. CV 88-1786-JMI

DECLARATION OF
PROFESSOR LONNIE D. KLIEVER

13 I, PROFESSOR LONNIE D. KLIEVER, declare:

14 1. I received a Bachelor of Arts magna cum laude in Psychology from
15 Hardin-Simmons University in 1955. I completed a Master of Divinity cum
16 laude at Union Theological Seminary of New York in 1959. I received a Doctor
17 of Philosophy in Religion and Philosophy from Duke University in 1963.

18 2. I have previously held full-time faculty appointments in the
19 Department of Philosophy at The University of Texas at El Paso from 1962-65
20 rising to the rank of Associate Professor, in the Department of Religion at
21 Trinity University of San Antonio from 1965-69, in the Department of
22 Religious Studies at the University of Windsor of Ontario from 1969-75 rising
23 to the rank of Full Professor. Since 1975, I have held an appointment as
24 Professor of Religious Studies at Southern Methodist University, serving as
25 Chairperson of Religious Studies for eleven years.

26 3. I am a long-time member in good standing of The American Association
27 of University Professors, The American Academy of Religion, The Society for
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1 the Scientific Study of Religion, The American Theological Society, The
2 Canadian Society for the Study of Religion, The Canadian Theological Society,
3 The Council on the Study of Religion and I have held national office, chaired
4 professional committees or served on editorial boards in most of these
5 professional societies.

6 4. I am a philosopher of religion and culture with special competence
7 in the religions of the modern era. As such, I am primarily concerned with
8 the changing forms of religious belief and practice in both mainline and
9 newer religious movements as these older and newer religions respond to the
10 challenges and changes of modern life. I regularly teach a variety of
11 courses at the undergraduate and graduate levels in the comparative,
12 philosophical and social scientific study of religion at Southern Methodist
13 University. I also carry on a sustained program of scholarly research in my
14 area of specialization, having published five books dealing with modern
15 religious thought entitled Radical Christianity (1968), H. Richard Niebuhr
16 (1977), The Shattered Spectrum (1981), The Terrible Meek: Essays on Religion
17 and Revolution (1987), and Dax's Case: Essays in Medical Ethics and Human
18 Meaning (1989) as well as numerous articles in such leading scholarly
19 journals as The Harvard Theological Review, The Journal of Religion, The
20 Journal of the American Academy of Religion, Studies in Religion, Religion in
21 Life, The Religious Studies Review, and The Journal for the Scientific Study
22 of Religion.

23 5. As a specialist in modern religions, I have conducted a scholarly
24 study of the Church of Scientology. I have read most of the major
25 theoretical texts written and published by L. Ron Hubbard, reviewed many of
26 the technical and administrative bulletins prepared by Mr. Hubbard and his
27 Editorial Staff for the administrative and ecclesiastical officers of the
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1 Church, and examined representative examples of the training manuals used by
2 teachers and students in various courses offered by the Church. I have also
3 read a number of journalistic and scholarly studies of the Church of
4 Scientology. In addition, I have talked with practicing Scientologists, and
5 visited their 46th Street Church and 82nd Street Celebrity Center in New York
6 City, their Flag Service Organization in Clearwater, Florida, and their
7 Celebrity Centre in Dallas.

8 6. By reason of my professional training and scholarly research, I am
9 convinced that Scientology is a religion in all respects of the word because
10 it meets the scholarly definition of any religious experience, because it
11 pursues the goals of any religious quest, and because it exhibits the
12 dimensions of any religious tradition. Moreover, on the basis of my review
13 of their oral depositions, I am convinced that Vicki J. Aznaran and Richard
14 N. Aznaran did join and experience Scientology in a religious manner during
15 their sixteen years of active participation in various programs and
16 organizations of the Church of Scientology. My assured convictions that
17 Scientology is a religion and that the Aznarans practiced Scientology as a
18 religion are based on the following considerations.

19 I.

20 SCIENTOLOGY IS A RELIGION BOTH IN THEORY AND IN PRACTICE

21 A. Scientology Meets the Definition of any Religious Tradition

22 7. Many scholars in the field of Religious Studies define religion in
23 purely functional terms. Perhaps the two most widely accepted scholarly
24 definitions of religion in this vein are philosopher Paul Tillich's
25 description of religion as "the state of being grasped by an ultimate
26 concern" and historian Frederick J. Streng's characterization of religion as
27 "a means of ultimate transformation." For such approaches, any concern that
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1 qualifies all other concerns as preliminary or any power that transforms a
2 person to the core can be regarded as essentially religious in meaning and
3 purpose. These functional approaches to the scholarly definition of religion
4 are quite similar to the legal definition of religion set forth in Seeger v.
5 United States, 380 U.S. 163 (1965), which stipulates that "religious training
6 and belief includes and extends to those sincere and meaningful beliefs which
7 occupy a place in life parallel to that filled by the orthodox belief in a
8 Supreme Being."

9 8. While appreciating the scholarly usefulness and legal propriety of
10 such functional approaches to religion, my purposes as a scholar are better
11 served by a somewhat narrower definition of religion. Similar to the
12 approach of many other scholars in the field of Religious Studies, I define
13 religion substantively as any system of beliefs and practices claiming to
14 align individuals and communities with the transcendent ground of their
15 existence. All elements of this definition are important because they point
16 to important and indispensable aspects of every recognized religious
17 tradition. Every religion is a system of "beliefs and practices." A
18 religion provides both a way of understanding and engaging the world in all
19 of its mystery and meaning. Every religion sustains and supports
20 "individuals and communities." A religion relates the individual to a
21 community of like-thinking and like-acting persons. Most important of all,
22 every religion is rooted in a "transcendent ground." By "transcendent
23 ground" I refer to the distinction that religions typically draw between the
24 ordinary world and that extraordinary being or power which unifies and
25 completes the ordinary world. Religions often speak of this transcendent
26 ground as the Sacred, the Divine, or the Infinite while assigning it such
27 names as God, Allah or Brahman. But however named and explained, every
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1 religion affirms some ultimate reality that answers the life-and-death
2 questions of human existence. The distinguishing mark of any and all
3 religions is a relationship to this ultimate reality.

4 9. Without question, Scientology meets the functional and legal
5 definitions of religion as "a state of ultimate concern" or as "a means of
6 ultimate transformation." But just as certainly, Scientology meets the
7 narrower scholarly definition of religion that I have proposed. Scientology
8 presents a system of beliefs and practices which claims to align both
9 individuals and communities with the transcendent ground of all existence.
10 More precisely, Scientology meets the sine qua non test of any religion,
11 since it affirms the reality of a transcendent ground of human existence and
12 understands this transcendent ground in a fully spiritual way.

13 10. Scientologists see human life as bent on survival across eight
14 "Dynamics" or purposes. They represent these eight Dynamics as concentric
15 circles, wherein the first Dynamic of individual existence is successively
16 surrounded by more encompassing Dynamics of communal and spiritual existence.
17 Thus, each Dynamic participates in and points toward life's ultimate
18 spiritual origin and destiny. The First Dynamic is the urge toward survival
19 through individual existence. The Second Dynamic toward survival through
20 family life. The Third Dynamic toward survival through groups. The Fourth
21 Dynamic toward survival through the human race. The Fifth Dynamic toward
22 survival through all life forms. The Sixth Dynamic toward survival through
23 the physical universe. The Seventh Dynamic toward survival as a spirit or
24 through spiritual awareness. And the Eighth Dynamic toward survival through
25 a Supreme Being or as Infinity. While the first six Dynamics are primarily
26 concerned with well-being in this world, the Seventh and the Eighth Dynamics
27 carry the individual totally beyond the everyday empirical and personal
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1 world.

2 11. Scientology's Seventh Dynamic affirms a spiritual dimension of life
3 that radically transcends the physical body and the material world. As such,
4 this view of man as a spiritual being has affinities with Hinduism's
5 imperishable Atman and Christianity's immortal soul. For Scientology, the
6 real person is not the body, much less the things used to adorn and extend
7 bodily life. The real person is an immortal spiritual being who uses the
8 physical body and the material world for good or for evil purposes.

9 Scientologists call this immortal spiritual being the "thetan." Ideally,
10 when fully operating, the thetan has unlimited capacities of knowledge and
11 power. However, the thetan cannot fully and freely operate "at cause" in
12 this way until it has been liberated from the physical blocks and mental
13 blinds it has accrued over one or more past lifetimes of embodied existence.
14 These blocks and blinds, which are called "engrams" by Scientologists, must
15 be erased before the thetan can regain its creative power and certainty.
16 This process for erasing engrams, which is called "clearing" in Scientology,
17 has been discovered and perfected by Mr. Hubbard in the spiritual healing
18 technology of "Dianetics" and the practical religious philosophy of
19 "Scientology."

20 12. Scientology's Eighth Dynamic affirms a spiritual context of life
21 that radically transcends the empirical self and the physical universe.
22 Scientologists are reluctant to claim complete technological control and
23 philosophical understanding of this highest level of spirituality. But such
24 reluctance has a long and honored place in the world's religions. The
25 ancient Jewish scribe dared not write the name of God out of reverence before
26 his "shekinah glory." The medieval Christian theologian only spoke of God by
27 "the way of negation" in recognition of his transcendent Otherness. The

1 ancient Chinese sage insisted that "the Tao which can be conceived is not the
2 real Tao." The medieval Indian mystic addressed the Supreme Reality as "He
3 before whom all words recoil." Scientology echoes such time-honored
4 religious modesty when it clearly affirms but does not fully explain that
5 individuals ultimately survive "through a Supreme Being" or "as Infinity."

6 B. Scientology Pursues the Goals of Any Religious Quest

7 13. Every religion is a quest for salvation. Indeed, the need for a
8 religion in the first place grows out of a recognition that things are not
9 right in the human world. Every human being lives under a sentence of death
10 that threatens to bring everything to naught. Cultural ideals and social
11 institutions may enhance the individual's being and worth, but not
12 universally and eternally. The causes which human beings espouse all fail.
13 The empires which human beings construct all fall. But every religion
14 promises a way through or around the disorder and destruction that seems to
15 haunt all of human life. The world's religions differ among themselves over
16 whether that "way" is an individual or a communal undertaking, a human or a
17 divine achievement, an earthly or a heavenly reward. But every religion
18 promises salvation from death and over death for all those who learn the
19 spiritual lessons and master the spiritual disciplines of life.

20 14. Salvation is not limited to a final triumph over death in some
21 other world or future life. Religions also offer salvation from the mental
22 confusion, physical distress and moral chaos that disrupts human life in this
23 world and this life. Religions typically promise the power and provide the
24 means for coping with all the marginal situations of life. Religions offer
25 strength and comfort to persons who are taken to the limits of their analytic
26 capacities, physical endurance and moral insight. In short, religions are
27 built to carry the "peak loads" of human bafflement, suffering and
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1 perversity.

2 15. Like other religions, Scientology not only promises a solution to
3 death but also provides a way of overcoming human bafflement, suffering and
4 perversity. A standard definition of Scientology, appearing in the flyleaf
5 of most of its publications, directly addresses these three ultimate threats
6 to well-being: "Scientology is an applied religious philosophy and technology
7 resolving problems of the spirit, life, and thought." For Scientologists,
8 these problems besetting the human race are ultimately spiritual rather than
9 merely physical or mental. There is an underlying flaw of the spirit or,
10 more properly, of the thetan that weakens the body and darkens the mind. But
11 Scientology promises a way to release the thetan from the subconscious
12 memories of those catastrophes it has suffered in past lifetimes and those
13 debilities it has suffered in this lifetime which dim its awareness and
14 cripple its abilities. Thus, Scientology pursues the personal goal of
15 clearing the human mind, body and spirit of all aberrations.

16 16. Like other religions, Scientology is a quest for salvation
17 embracing life in a "world" to come as well as life in this world.
18 Scientology's quest for salvation centers in the process of spiritual
19 counseling called "auditing" -- a process which has similarities to Western
20 confessional and Eastern meditative techniques. Auditing both cleanses and
21 centers the inner life of the thetan. The first stages of auditing deal
22 primarily with the spiritual dynamics of individual, family, social and
23 historical life and are designed to produce healthy and happy human beings.
24 The succeeding steps of auditing deepen the individual's spiritual awareness
25 and ability, finally freeing the thetan from all dependence upon the physical
26 body and the material universe. In short, Scientology holds out the promise
27 of happiness in this life and immortality for all those who cross its "Bridge
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1 to Total Freedom."

2 17. Finally, Scientologists do not limit the promises of spiritual
3 well-being achieved through "clearing" to the isolated individual. The
4 ultimate purpose of the spiritual technique of auditing is to clear the
5 entire planet of all harmful engrams, thereby creating a spiritual condition
6 of universal benevolence and perpetual peace. In auditing, Scientology
7 claims to have the "spiritual technology" for removing the underlying
8 spiritual causes of all hostility and prejudice, all inequality and
9 injustice, all warfare and exploitation. Only when the planet is thus
10 cleared will human beings achieve "a civilization without insanity, without
11 criminals and without war."

12 C. Scientology Exhibits the Dimensions of Any Religious Community

13 18. As the foregoing discussion shows, religion is not simply a private
14 affair. Religion is a social and historical phenomenon, despite the fact
15 that religions take their rise and find their home in the human heart.
16 Individual religious experience grows out of a religious community which
17 conserves and communicates that religion from one person to another and from
18 one generation to the next. As such, every religious community is organized
19 around four distinct and interrelated dimensions. Reflecting the fact that a
20 religious tradition has theoretical and practical as well as individual and
21 social aspects, religious communities are structured as a system of religious
22 beliefs, religious practices, religious institutions, and religious leaders.

23 19. Like all religions, Scientology affirms a distinctive body of
24 religious beliefs. Individual Scientologists assimilate these beliefs
25 through extensive individual and group study of the philosophical, ethical
26 and creedal writings of L. Ron Hubbard. Indeed, these writings provide the
27 only authoritative source for Scientology's religious beliefs. Thus, Mr.
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1 Hubbard's writings function as sacred scripture, carrying the same
2 authoritative force for Scientology as does The Bible for Christians, The
3 Qur'an for Muslims, The Book of Mormon for the Church of Latter Day Saints,
4 or Science and Health with Key to the Scriptures for the Church of Christian
5 Science. As such, Mr. Hubbard is regarded as the "Founder" of Scientology
6 in a similar way that Mohammed is held as the Founder of Islam or Joseph
7 Smith is regarded as the Founder of Mormonism.

8 20. Like other religions, Scientology maintains a distinctive body of
9 religious practices. Many Scientologists celebrate the rites of marriage,
10 christening and burial according to the ceremonies of the Church of
11 Scientology. But the heart of Scientology's religious life is the practice
12 of auditing. Scientology auditing, which combines features of Christian
13 confession and Buddhist meditation, is not simply another version of
14 psychological counseling or psychoanalytic treatment. Auditing is that
15 spiritual discipline whereby thetans are "cleared" of their "engrams" -- are
16 freed from those physical limitations and spiritual entrapments which darken
17 the mind and weaken the body. This process of clearing occurs in sequential
18 steps. Each stage of auditing achieves ever higher levels of spiritual
19 awareness and ability. Indeed, when enough individuals have been cleared,
20 the entire planet has a chance of also being cleared. In accordance with
21 these individual and collective goals of auditing, Scientologists are also
22 involved in the sacred mission of spreading the message of Scientology and of
23 providing auditing for others. Like such other missionary religions as
24 Buddhism, Christianity and Islam, Scientology seeks to spread its message and
25 means of salvation to the whole world and eventually throughout the universe.

26 21. Like all religions, Scientology has developed specialized social
27 structures of organization and leadership for serving its members and
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1 spreading its message. Scientology is a voluntary religious community that
2 is formally organized around highly differential religious activities under
3 rigorously hierarchical controls. Scientology's religious services are
4 provided through five different kinds of religious centers, depending on the
5 level of auditing and training available at a given center. Scientology
6 missions deliver all the "routes to the Bridge" as well as auditing on the
7 lower "grade levels." Scientology churches, which are also called Orgs and
8 located in major cities, offer all "routes to the Bridge" as well as auditing
9 and training through all "grade levels" to the state of "Clear." Special
10 Orgs, called "Celebrity Centers" cater to the artistic communities in
11 entertainment capitals like Los Angeles, Toronto, and New York. Saint Hill
12 Orgs and Advanced Orgs, which are located in England, Los Angeles,
13 Copenhagen, and Sidney, specialize in auditing and training at the
14 preparatory and intermediate "OT (Operating Thetan) levels." Finally,
15 Scientology's Flag Service Org in Clearwater, Florida, delivers all the
16 courses and levels available at other Orgs, plus special advanced level
17 auditing and training, while the Flag Ship Service Org in Curacao delivers
18 all those services plus exclusive auditing and training at the newly released
19 "OT level."

20 22. These different religious centers reflect the hierarchical
21 organization of the Church of Scientology, which is structured on the
22 corporate model. Each individual organization is separately incorporated,
23 but contracts for the materials and services provided by the Church of
24 Scientology International, which is the Mother Church that distributes the
25 "materials" under the auspices of the Religious Technology Center, which is
26 charged with maintaining the "purity" of Scientology's practical religious
27 philosophy and spiritual healing technology. In emulating the corporate
28 model, the Church of Scientology follows in the train of older religious

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1 organizations which were patterned after the dominant political and economic
2 organization of their own societies. Thus, the Roman Catholic Church was
3 modeled on medieval culture's feudal aristocracies while the Protestant
4 denominations were patterned after modern culture's capitalist democracies.

5 23. Leadership in the Church of Scientology is based on the commanding
6 religious vision and authority of L. Ron Hubbard. Unlike such ancient
7 religious founders as Buddha, Zoroaster, Jesus, or Mohammed, Mr. Hubbard is
8 not an object of religious veneration among Scientologists though he is held
9 with great admiration and affection. Rather, the practical religious
10 philosophy and spiritual healing which he discovered and developed are alone
11 vested with holiness. Nevertheless, Scientologists see Mr. Hubbard as a
12 singular figure in human and cosmic history since he alone has found a way
13 through death and all those "pieces of death" that rob life of its natural
14 health and happiness, and its supernatural awareness and ability. Indeed,
15 Scientologists believe that their "Founder," who upon his death was freed
16 from the limitations of his body and this earth, is carrying on his conquest
17 of life "up the line at the other end of the Bridge."

18 24. As a new religion, Scientology has not yet developed the range of
19 religious specialists found in older religious traditions. Neither
20 "prophets" nor "reformers" are likely to emerge for some time to come and
21 there no room for "healers" or "saints" in Scientology's beliefs and
22 practices. But the generic roles of "priest" and "teacher" have been firmly
23 established, though Scientologists refer to these religious functionaries as
24 ministers and as staff of the Church of Scientology. Scientology ministers
25 are duly ordained by the Church upon completion of a prescribed course of
26 study and internship and, as ordained ministers, they are specially empowered
27 to conduct Sunday services, weddings, christenings and burials as well as
28 delivering the appropriate services of spiritual auditing and training.

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1 Scientology staff are trained for a variety of specialized teaching and
2 management roles in the various levels and arms of church organizations.
3 Some Scientology ministers and staff also belong to a special religious order
4 called the Sea Org, whose members contract to serve for a billion years and
5 who work together to keep Scientology Missions and Churches moving
6 individuals up toward the goal of clearing this planet and eventually the
7 universe. Finally, Scientology also spreads its religious beliefs and
8 practices through a highly dedicated and trained laity, who are also able to
9 deliver spiritual auditing at appropriate levels to Scientology's public.

10 D. Summary of Analysis

11 25. In summary, the preceding analysis has shown that Scientology is a
12 religion in all aspects of the word. To be sure, Scientology's spiritual
13 disciplines and institutional embodiments are distinctive, as befitting a new
14 religion that seeks to combine the spirituality of Eastern religions and the
15 historicity of Western religions in a "pan-denominational" movement that
16 respects other religious traditions while transcending them. Yet,
17 Scientology clearly meets the scholarly definition of any religious
18 tradition, clearly pursues the goals of any religious quest, and clearly
19 exhibits the dimensions of any religious community.

20 II.

21 VICKI J. AZNARAN UNDERSTOOD AND EXPERIENCED SCIENTOLOGY AS A RELIGION

22 A. Ms. Aznaran Became a Scientologist to Improve Herself and Others
23 in a Religious Manner

24 26. At her deposition, Ms. Aznaran stated that she was first introduced
25 to Scientology in May of 1972 by her future husband, Richard N. Aznaran, who
26 had taken a course and read several books on Scientology. V.A. Dep. at 518-
27 525. He had told her about Scientology's belief in reincarnation and that

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1 Scientology could probably help her improve her mind and health through a
2 special kind of counseling called auditing. (The Aznarans used the word
3 "reincarnation" to denote Scientology's understanding of past and future
4 lives, which in actual fact is not strictly identical with the Eastern
5 concept of reincarnation, since the latter involves a being's return in
6 different bodily forms as a way of handling the individual's karmic burdens.)
7 Ms. Aznaran was given additional introductory information about past lives,
8 engrams, future lives and the "technology" of auditing in a lecture by Whit
9 Whitford at the Church of Scientology in Austin, Texas, in August of 1972.
10 Id. at 525-535. Following that lecture, Ms. Aznaran decided to become
11 involved in the Church of Scientology. She reported that she originally
12 joined for self-improvement: "I thought that it was a way to improve myself
13 and others.... I don't think at that point in time I was interested in the
14 reincarnation yet. I think it was just the improvement part." Id. at 531.
15 But under questioning, she acknowledged that her interest in "self-
16 improvement" included both spiritual and physical betterment. As such, Ms.
17 Aznaran's interest in improving herself and others was inescapably religious
18 in nature. As described above, the religious quest for salvation includes
19 the pursuit of health and happiness as well as the attainment of
20 enlightenment and immortality. Moreover, Ms. Aznaran's own Unitarian
21 religious background predisposed her to understand religion in terms of self-
22 improvement since Unitarianism stresses personal and social betterment as the
23 core of religious belief and practice. When asked to summarize the nature of
24 Unitarianism, she replied: "The main thing that they believe or they push is
25 the brotherhood of man, man's relationship with his fellow man and being
26 humane in that relationship." Id. at 504. Acknowledging that some
27 Unitarians do not believe in a "central deity," Ms. Aznaran nonetheless

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1 affirmed that she considered Unitarianism to be a religious practice. Id. at
2 505. Thus, although Ms. Aznaran did not describe her experience of becoming
3 a Scientologist in the familiar language of religious conversion or faith in
4 God, her original reasons for joining the Church of Scientology were clearly
5 religious in nature.

6 27. At her deposition, Ms. Aznaran seemed to raise a question about
7 whether Scientology had been presented as a religion during her formal
8 introduction to the Church of Scientology. In recalling Mr. Whitford's
9 introductory lecture on Scientology, she reported that "he said that it would
10 not interfere with religious beliefs and you could attend whatever church you
11 were already in, whether you were a Baptist or whatever, and not to be
12 concerned about the fact that it was called a church, because, in fact, that
13 was just something that we would understand later and really had nothing to
14 do with anything and that we could tell our parents that we were still
15 Catholic, Baptist, whatever we might happen to be." Id. at 526. Assuming
16 that Mr. Whitford did offer these reassurances, they by no means imply that
17 Scientology is not an authentic religious practice or that the Church of
18 Scientology is not a legitimate religious organization. In their narrowest
19 sense, Mr. Whitford's words are simply an acknowledgment that Scientology is
20 not a traditional religious practice or institution. In their fuller sense,
21 his words can be construed as a faithful reflection of the pan-denominational
22 character of Scientology. As a religious ideology, Scientology consistently
23 presents itself as a higher synthesis of the ancient wisdom of all the
24 religions. As such, Scientology presents itself as the fulfillment rather
25 than the negation of the traditional religions. As a religious institution,
26 Scientology presents itself as an organized movement for the spiritual
27 renewal of all religious and secular institutions. As such, it bears
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1 remarkable similarity to other organized movements for spiritual renewal
2 which cut across traditional confessional boundaries and transcend
3 traditional institutional loyalties. Religious movements as varied as the
4 Bahai faith or Businessmen's Prayer Breakfasts hold out the promise of
5 deepening and enlarging the distinctive spiritual heritage of their
6 followers. In short, the Church of Scientology is an inclusive religion
7 which does not require its followers to repudiate their own religious
8 heritage in pursuing its practical religious philosophy and technology.

9 B. Ms. Aznaran Pursued the Emotional and Spiritual Goals
10 of Scientology in a Religious Manner

11 28. However limited her original intentions for becoming a
12 Scientologist might have been, Ms. Aznaran fully invested herself in
13 achieving both temporal happiness and everlasting beatitude during her
14 fifteen year membership in the Church of Scientology. At her deposition, Ms.
15 Aznaran freely acknowledged that she sincerely believed that she was making
16 progress in her spiritual growth throughout her years as a Scientologist. Id.
17 at 582. She diligently pursued the gradient steps in training and auditing
18 "up the bridge" during her experience as a member of the Church of
19 Scientology. Achieving the state of "clear" in 1977, she continued to
20 receive training and auditing services at the higher levels for the
21 "operating thetan" for the next six years. Id. at 575-605. From time to
22 time, Ms. Aznaran expressed her sense of progress in written testimonies of
23 the "wins" she had gained through auditing. Id. at 544-45; Ex. 27-34; Ex.
24 121-125.

25 29. Ms. Aznaran acknowledged that, from the very outset, she found
26 auditing to be a worthwhile experience. As described above, the first stages
27 of auditing deal primarily with the spiritual dynamics of individual, family,
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1 social and historical life and are designed to produce healthy and happy
2 human beings. But the succeeding steps of auditing extend the individual's
3 spiritual awareness and ability, finally freeing the thetan from all
4 dependence upon the physical body and the material universe. Ms. Aznaran's
5 recollections of her experiences with auditing reflect Scientology's typical
6 progression from the temporal to the eternal aspects of spiritual liberation
7 and transformation. She described the initial benefits of auditing in terms
8 of merely helping "straighten things out for me." Id. at 538. But she was
9 aware from the outset of the higher levels of spiritual attainment available
10 to her through auditing, and aspired to reach the level of "clear" for
11 herself and others. Id. at 548. As she progressed through the early levels
12 of auditing, she began dealing with past and future lives. By the last
13 months of 1972, she had gone "exterior," which meant she had experienced
14 herself as a spiritual being completely free of any dependence on her body.
15 Id. at 539-541. By her own account, she achieved the state of "clear" by
16 1977, which meant that she was "a well and happy human being" freed from the
17 paralyzing effects of the "reactive mind." Id. at 546-547. She reported
18 making steady progress up the sequential grade levels to the upper levels of
19 auditing where she became an "operating thetan" capable of acting as a causal
20 agent without a body. She eventually reached the crucial third "OT Level" on
21 "The Bridge to Total Freedom." Id. at 576-583. While Ms. Aznaran honored
22 Scientology's proscription against describing what spiritual transformations
23 occurred beyond this so-called "wall of fire," her ostensible "out-of-the
24 body" experiences are by no means unique in the history of religions, since
25 both shamanic and mystical religions are centered in such extraordinary
26 spiritual states.

27 30. Ms. Aznaran confessed to having some doubts, beginning in 1982,
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1 about whether she had fully achieved the spiritual states of "clear" and
2 later of "operating thetan" that she earlier believed she had gained through
3 auditing. She noted that her doubts were occasioned in part by official
4 changes in the descriptive order and content of the lower and upper levels of
5 auditing. Id. at 589. But these doubts were apparently not debilitating
6 because later in her deposition Ms. Aznaran stated that she did not stop
7 believing in the efficacy of auditing until late in the fall of 1987, some
8 six months after she had terminated her staff responsibilities in the Church.
9 Id. at 854. Even if her doubts had been chronic, that fact would not count
10 against the seriousness of her religious commitment to Scientology or against
11 the religious validity of Scientology. In the history of religions, the
12 greatest saints have often been the greatest doubters. The intensity of
13 their doubts have often resulted from a perceived gap between what their
14 religion promises and what they personally have achieved. Doubt is often a
15 profound dimension and even expression of a vital and serious faith.

16 C. Ms. Aznaran Understood and Affirmed Scientology's Religious
17 Beliefs and Practices

18 31. At her deposition, Ms. Aznaran recalled that she read several
19 publications that drew attention to the religious nature of Scientology's
20 beliefs and practices in the early months of her involvement in the Church of
21 Scientology. She read the booklet, What Every Pre-clear Should Know, which
22 provided a basic introduction to the religious methods and goals of auditing.
23 Id. at 535-36. This booklet forthrightly presents auditing as a spiritual
24 "technology" that progressively releases the "thetan" across the "eight
25 dynamics," including "survival through a supreme being or infinity." Id. at
26 Ex. 18. She also read The History of Man which explains Scientology's
27 concepts of "past lives," "exteriorization," and "clearing" which rest on a
28

1 spiritual view of human nature and destiny. Id. at 539-541. During the next
2 two years, Ms. Aznaran read a number of the writings of L. Ron Hubbard in
3 connection with standard auditing and training courses that she took,
4 including portions of Dianetics, The Phoenix Lectures, Evolution of a
5 Science, Creation of Human Ability, Dianetics 55. Id. at 555-57. Even a
6 cursory examination of these writings reveals the religious character of
7 Scientology's system of metaphysical beliefs and goals of pastoral
8 counseling.

9 32. Taking her at her word, Ms. Aznaran not only studied Scientology's
10 system of religious beliefs and practices but clearly understood and accepted
11 them as well. Under questioning at her deposition, she provided accurate
12 summaries from memory of the meaning of engrams, the stages of auditing, the
13 dynamics of existence, the nature of the thetan, the experience of going
14 exterior, the clearing of the planet, and the Bridge to Total Freedom. Id. at
15 529-588. Moreover, during her years as a Scientologist Ms. Aznaran signed a
16 number of forms in which she affirmed her acceptance of these very religious
17 beliefs and practices of the Church of Scientology. For example, her "Church
18 of Scientology Application Form," signed 15 April 1977, includes the
19 following affirmation: "I am willing to subscribe to the Creed of the Church
20 of Scientology, and to the mission and purpose of the Church of Scientology,
21 which is to assist the individual to become more aware of himself as an
22 immortal Being and help him achieve the basic truths in regard to himself,
23 his relationship to others and all Life, his relationship to the physical
24 universe and the Supreme Being, and to create, here on Earth, a civilization
25 of which all can be proud." Id. at Ex. 16. Finally, from time to time in
26 her role as a church leader, she delivered public addresses in which she
27 avowed her commitment to the teachings and practices of the Church of
28

1 Scientology. At a speech in Los Angeles to public and staff Scientologists
2 on March 13, 1986, she made the following statement: "I know, whether anyone
3 else does or not, that the spiritual beings on this planet have hit the end
4 of the trail and that only Dianetics and Scientology can give them any
5 further future at all. We have a secure beachhead over the world. We have
6 proven in the teeth of insane opposition that we not only can survive but can
7 expand as well. All we need to do is work at it harder and keep going. It's
8 no small achievement what we have already done. So keep going, and we'll
9 make it." Id. at 1282.

10
11 D. Ms. Aznaran Supported and Defended Scientology's Religious
12 Institutions and Activities

13 33. Ms. Aznaran became a Scientologist in the fall of 1972 when she was
14 22 years of age. Her enthusiasm for her new-found faith was evidenced by the
15 fact that she became a full time staff member of the Southwest Mission of the
16 Church of Scientology in Dallas in December of 1973. Id. at 552. She
17 remained attached to the Southwest Mission first as an "auditor" and then as
18 a "case supervisor" until May of 1978, although she spent considerable time
19 pursuing her own studies and auditing at Scientology centers in Los Angeles
20 and Clearwater during this period. She went to the Flag Service Org in
21 Clearwater, Florida, as a member of the staff in 1978 where she held a number
22 of important positions as a member of the Sea Organization. Id. at 605-15.
23 In August of 1983, Ms. Aznaran became affiliated with the Religious
24 Technology Center which had responsibility for protecting the "purity" of the
25 training and auditing services at all organizational levels of the Church of
26 Scientology on a worldwide basis. Id. at 219-224, 615-620. She quickly rose
27 to the highest executive offices of the Religious Technology Center which
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1 placed her among the top dozen or so leaders of the entire Church of
2 Scientology. As President and Director of the Religious Technology Center,
3 Ms. Aznaran played a key role in disciplining church leaders who were "off-
4 source" in delivering training and counseling services as well as being
5 involved in facilitating the legal defense of the Church of Scientology's tax
6 exempt status with the Internal Revenue Service. Id. at Ex. 42-43.

7 34. At her deposition, Ms. Aznaran recalled that she began providing
8 auditing for others as a staff member of the Southwest Mission in Dallas in
9 1973. She took the Minister's Course in Los Angeles in 1974, which entitled
10 her to offer auditing services as an ordained minister as well as performing
11 the pastoral rites and ceremonies of the Church of Scientology. Id. at 558-
12 564. Ms. Aznaran was not formally ordained as a minister in a specific
13 Church of Scientology until 1985, but she did perform religious marriage
14 ceremonies which were duly registered in the State of California as early as
15 1984. Id. at Ex. 7-9. Her acceptance of ordination and her ministerial
16 performance of religious ceremonies and counseling are clear indications that
17 Ms. Aznaran practiced Scientology in a religious manner.

18 35. Ms. Aznaran's membership in the Sea Org, which she joined on 29
19 July 1978, further confirms the seriousness of her religious commitment to
20 the Church of Scientology. The Sea Org is a leadership group of
21 Scientologists especially dedicated to bringing about "a civilization without
22 insanity, without criminals and without war, where the able can prosper and
23 honest beings can have rights, and where man is free to rise to greater
24 heights." Scientologists who commit themselves to this goal of "clearing the
25 planet" must submit themselves without reservation to a rigorous discipline
26 throughout their present and future lives. Accordingly, they fully subscribe
27 "to the disciplines, conditions, mores" of the Sea Organization "for the next
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1 billion years." Id. at Ex. 17. Some Scientologists apparently take the
2 "billion years" as symbolic of one's ultimate commitment to the goals and
3 purposes of Scientology. More typically, Scientologists take this time span
4 as a measure of one's everlasting commitment through as many future lives as
5 it takes to achieve the goals of "clearing the planet for all humankind. On
6 either reckoning, membership in the Sea Org expresses a serious religious
7 commitment. Taken symbolically, the billion year commitment is comparable to
8 the religious vocations of Christian priests or Buddhist monks who take life-
9 long vows of poverty, celibacy and obedience. Taken more literally, the
10 billion year commitment is quite similar to the Buddhist ideal of the
11 Bodhisattva who renounces his right to enter into everlasting bliss in order
12 to assist others in achieving enlightenment.

13 36. Ms. Aznaran's joining the Religious Technology Staff on 12 November
14 1982, and her rapid rise to the Presidency of this important ecclesiastical
15 organization, are even stronger indications of her seriousness about the
16 beliefs and practices of the Church of Scientology. By virtue of her office
17 as President, Ms. Aznaran wrote detailed letters in response to the Internal
18 Revenue Service concerning the organization and function of The Religious
19 Technology Center. Id. at Ex. 42-43. Therein she explained that the Church
20 of Scientology is a hierarchical Church, both with respect to levels of
21 ecclesiastical authority and religious services. The churches which comprise
22 the Church are bound together by their adherence to the scriptures of the
23 religion and their compliance with the governance of the hierarchy. Within
24 this overall mission and structure, the Religious Technology Center had "the
25 highest authority with respect to the maintenance of the purity of the
26 religion." Like other religions, Scientology believes that the proper
27 administration of religious rituals is absolutely crucial to their salvific
28

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1 efficacy. Auditing, which is "the central sacrament of Scientology," must be
2 administered in proper manner and proper sequence or it cannot deliver the
3 promised spiritual and emotional benefits. That Ms. Aznaran whole-heartedly
4 believed in maintaining the purity of Scientology's scriptures and services
5 is evidenced not only by her written representations on behalf of the Church
6 of Scientology but also by her public opposition to "squirrels" (those who
7 have splintered off from Scientology but are still practicing some altered or
8 unauthorized form of it) and other opponents of the Church of Scientology.
9 Id. at 635-646.

10 37. In connection with a short-lived controversy over succession of
11 leadership in the Church of Scientology that followed L. Ron Hubbard's death
12 on 24 January 1986, Ms. Aznaran was accused by her superiors with violating
13 standard procedures. In March of 1987, she resigned her positions as
14 President and Director of the Religious Technology Center and assigned
15 herself to the Rehabilitation Project Force for a program "of religious
16 instruction and correction" in order "to redeem" herself. Id. at 1044-1105;
17 Ex. 108-109. But Ms. Aznaran's subsequent decision not to complete her
18 Rehabilitation Project Force program disqualified her for continuing as a
19 staff member of the Sea Organization in good standing. In a process similar
20 to the "laicization" of Roman Catholic priests, she was "routed out" of the
21 Sea Organization on 9 April 1987. Id. at Ex. 115. Ms. Aznaran's formal
22 separation from the Sea Organization, however, did not require or involve a
23 complete break with the Church of Scientology. She and her husband were
24 extended a low interest loan of \$20,000 and provided letters of reference to
25 facilitate their return to private life and work in Dallas, Texas. Id. at
26 1101-1125; Ex. 110. Moreover, the door remained open for them to resume
27 spiritual training and auditing as members of Scientology's "public" when
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1 they met certain conditions of restoration. In fact, Richard Aznaran
2 confirmed at his second deposition that both he and his wife were quite
3 anxious to receive services again and that they requested permission to work
4 for their "ethics upgrade," which would have restored them to membership in
5 good standing, by providing auditing services for others in Dallas. R.A.
6 Dep. II at 199-208.

7 E. Summary of Findings

8 38. As attested in her own deposition, Ms. Aznaran both believed and
9 practiced Scientology as a religion during her years as a member of the
10 Church of Scientology. To be sure, late in her deposition she explicitly
11 denied that her participation in Scientology was religious in character.
12 Curiously enough, her denial took two divergent forms. On the one hand, she
13 contended that she never regarded Scientology as a religion, implying thereby
14 that Scientology was a scientific psychotherapy. V.A. Dep. at 1285. On the
15 other hand, she insisted that she had been "brainwashed" into accepting
16 Scientology's beliefs and practices, implying thereby that Scientology was a
17 coercive religion. Id. at 1169-1173. On their surface, these strategies of
18 denial are mutually inconsistent, strongly suggesting their ad hoc invention.
19 But Ms. Aznaran's attempted denials of her religious involvement in
20 Scientology fail for more than reasons of logical inconsistency. Her own
21 words have shown that she became a Scientologist to improve herself and
22 others in a religious manner, that she pursued the emotional and spiritual
23 goals of Scientology in a religious manner, that she understood and accepted
24 Scientology's system of religious beliefs and practices, and that she
25 supported and defended Scientology's system of religious institutions and
26 leaders. However much her ideas and attitudes about Scientology may have
27 changed after she finally broke with the Church, Vicki J. Aznaran did
28

1 understand and experience Scientology in a religious manner throughout her
2 fifteen years as a member of the Church of Scientology.

3 III.

4 RICHARD N. AZNARAN UNDERSTOOD AND EXPERIENCED SCIENTOLOGY AS A RELIGION

5 A. Mr. Aznaran Became a Scientologist Because It Promised Salvation
6 from Emotional and Spiritual Ills

7 39. At his deposition, Mr. Aznaran recalled that he first heard about
8 the Church of Scientology shortly after his discharge from the Marines and
9 return to Dallas in 1971. A high school friend named Gary Franks shared his
10 own excitement over Scientology's teachings about pre-existent lives,
11 operating thetans, and future lives. R.A. Dep. I at 264-269. Mr. Franks
12 loaned him such books as History of Man and Have Your Lived Before? which
13 spelled out Scientology's spiritual view of human life and human history —
14 that man has an immortal soul (the "thetan") which can be cleansed of painful
15 and paralyzing memories from past lives ("engrams") and totally freed from
16 dependence on the body ("cleared") in this life and in lives to come. Id. at
17 268. Mr. Aznaran acknowledged that initially he had little interest in
18 getting involved with the Church of Scientology because he was a practicing
19 Roman Catholic at the time. But an introductory lecture at the Southwest
20 Mission in Dallas in August of 1971 captured his interest, and he enrolled in
21 a training course. Mr. Aznaran must have been intrigued with what he had
22 been told and what he had read about Scientology because he discussed these
23 ideas at length over a period of months with Vicki McRae, whom he met in the
24 fall of 1971 and married in the fall of 1972. Id. at 311-314. After they
25 made a trip together to Austin to hear a lecture on Scientology in August of
26 1972, Mr. Aznaran enrolled in additional courses in Dallas. His application
27 for spiritual services from the Southwest Mission, which he signed on 17
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1 August 1972, included the following attestation which he initialed: "I
2 understand fully and completely the purpose of said organizations and
3 personnel are based on the practices of Scientology, which I know to be a
4 spiritual and religious guide intending to make persons more aware of
5 themselves as spiritual beings, and not diagnosing or treating human ailments
6 of body or mind, or affecting the structure or any function of the body by
7 other than spiritual means." Id. at Ex. 136. Mr. Aznaran, along with his
8 wife, joined the staff of the Southwest Mission in December of 1973. Id. at
9 308. Given this increasing interest and involvement in the Church of
10 Scientology, Mr. Aznaran must have realized that Scientology's goals and
11 methods were patently religious, no matter how much they seemed to differ
12 from the religious goals and methods of his Roman Catholic background.

13 40. At his deposition, Mr. Aznaran protested at several points that his
14 interest and involvement in Scientology was not religious in nature. For
15 example, Mr. Aznaran recalled that Mr. Franks had assured him that
16 Scientology "really wasn't a religion" but was more of a "self-help kind of
17 thing." But, when pressed to describe how Scientology was explained to him,
18 Mr. Aznaran acknowledged that Mr. Franks was "always talking to me" about
19 Scientology's belief in pre-existent lives, engrams, out-of-body experiences,
20 operating thetans and reincarnation. Id. at 266-274. While these beliefs
21 are not essentially Christian, they are most assuredly religious in nature.
22 Indeed, as described earlier, they bear striking similarities to traditional
23 Buddhist views of the spiritual self and its immortal destiny. Or again, Mr.
24 Aznaran recalled that he initially believed that Scientology was in fact a
25 science rather than a religion. But, in describing this "science," he
26 acknowledged that it held out the promise of "salvation" from the physical
27 and spiritual ills that beset mankind. R.A. Dep. II at 393-400. While this
28

1 "scientific" view of salvation might employ language other than Christian
2 descriptions of salvation, it was nonetheless clearly religious in substance
3 and scope since it envisioned freeing the human spirit from its mortal flaws
4 and equipping it for its immortal destiny. Moreover, religious thinkers as
5 different as traditional Christian theologians and modern Hindu pundits have
6 described their systems of belief and practice as sciences, in the dictionary
7 sense of a science as any "system or method of reconciling practical ends
8 with general laws." Thus, on closer examination, Mr. Azarnan's disavowals
9 merely confirm what is not in dispute -- namely, that Scientology was not
10 presented to him or embraced by him as a traditional religion or church after
11 the familiar pattern of his Roman Catholic heritage.

12 41. Mr. Azarnan actually confirmed this reading of his disavowals of
13 Scientology as a religion on several separate occasions at his deposition.
14 Under questioning about his views of Scientology as a science, he reiterated
15 his disavowal of Scientology as a religion. "Let me put it this way: I never
16 believed that I was practicing religion as the rest of the world considers it
17 religion." But he also readily acknowledged that he was practicing what
18 Scientologists considered a religion: "Now, they define the word [religion]
19 for their own purposes, and I certainly felt like I was practicing that."
20 Id. at 406. Pressed on whether Scientology routinely presented itself as a
21 religion, he replied: "Well, sure. But, again, like I said, I mean in terms
22 of is that what the rest of the world would consider religion, the answer
23 would be no. What they, themselves, as a group refer to as a religion,
24 yeah." Id. at 407. In other words, Mr. Azarnan's normative understanding of
25 the word "religion" was limited to theistic traditions such as Roman Catholic
26 or Protestant Christianity. Furthermore, by his own admission, he knew
27 nothing about Eastern religions, including Buddhism which is the traditional
28

1 world religion that Scientology resembles most nearly. Id. at 408. If the
2 term "religion" is thus restricted to apply only to those who believe in a
3 personal God and a literal heaven, then by this definition most
4 Scientologists are not religious. But then neither are most Christian and
5 Muslim mystics, to say nothing of most Confucionists or Buddhists, since none
6 of these highly regarded religious traditions affirm a personalistic view of
7 God and the after life.

8 42. At another point in his deposition, Mr. Aznaran even more clearly
9 acknowledged the religious role that Scientology had once played in his life:
10 "During the time that I was in the Church there were periods, very definitely
11 periods, where I thought that Scientology was, if you want to put it in
12 religious terms, I suppose, the only road to salvation. But when you try to
13 — then when you ask but did I consider it a religion in terms of normal
14 religion, I would have to say no." Id. at 381. Once again, by "normal
15 religion," Mr. Aznaran obviously meant theistic religions. But, by his own
16 testimony, he most certainly did embrace Scientology as an object of ultimate
17 concern and as a means of ultimate transformation. In other words, Mr.
18 Aznaran was religiously committed to the religion of Scientology during his
19 years in the Church, notwithstanding his disclaimers that Scientology was not
20 a "normal" religion.

21 B. Mr. Aznaran Firmly Embraced the Religious Beliefs and
22 Practices of Scientology

23 43. At his deposition, Mr. Aznaran described the system of beliefs and
24 practices that he was taught and had embraced as a Scientologist. R.A. Dep.
25 I at 280-290. He learned that each person is a "thetan" or spiritual being
26 that can be freed from the body through auditing and achieve "extremely high
27 levels of ability." He learned about "the eight dynamics" or the ever-

1 widening spheres of spiritual existence which extend from the "individual" to
2 the "Supreme Being" or "Infinity." He learned about "clearing the planet"
3 which would produce "a civilization without insanity, without criminals,
4 without war where the able can prosper and honest beings can have rights and
5 where man is free to rise to great heights." These beliefs about human
6 nature and techniques for transforming destiny clearly go beyond any merely
7 psychological or sociological view of human existence. Indeed, they are
8 religious by any informed and objective understanding of the nature and
9 function of religious beliefs and practice.

10 44. At his deposition, Mr. Aznaran freely acknowledged that Mr.
11 Hubbard's writings and teachings on such matters as the spiritual nature of
12 the thetan and the eight dynamics of spiritual existence are "spiritual" in
13 nature and that he personally believed and practiced them during his years as
14 a Scientologist. R.A. Dep. II at 573-583. In fact, Mr. Aznaran went even
15 further and revealed that he continues to believe some of the things that he
16 used to believe when he was in the Church. While disavowing much of the
17 esoteric teachings of Mr. Hubbard, Mr. Aznaran affirmed that he still
18 believes in past lives, religious confession, and continuing existence. Id.
19 at 575-583. As such, Mr. Aznaran's position echoes the familiar distinction
20 between "the letter and the spirit of the law" found in many religious
21 traditions. Liberal Christianity, Reformed Judaism and Vedantic Hinduism all
22 represent efforts to "separate the wheat from the chaff" of their historic
23 traditions. To be sure, Mr. Aznaran insisted that the spiritual teachings
24 which he continues to believe cannot be attributed Mr. Hubbard as their
25 source even though they are central to the teachings found in his writings.
26 Id. at 577, 579. But many "liberalizing" movements in the history of
27 religions appeal to a core of spiritual teachings that can be found in all

1 great religions to legitimate a critique of their own religious tradition.

2 45. At his deposition, Mr. Aznaran acknowledged that during his years
3 as a Scientologist he believed that he was making progress in his spiritual
4 growth. Early on, he had set his goals to become an "operating thetan" in
5 the full sense of the term, that is, gaining "total cause over matter,
6 energy, space and time across the totality of the eight dynamics." R.A. Dep.
7 I at 343. When pressed during his deposition to summarize what he believed
8 about Scientology at the time, he replied: "I believed that I, myself, would
9 be able to achieve these levels and states that were promised. I believed
10 that I could help others to achieve those levels and states that were
11 promised, that it was a noble thing to do, to help my fellow man." Id. at
12 347. Furthermore, without giving explicit examples and thereby betraying the
13 confidentiality of the auditing process, Mr. Aznaran affirmed that he had
14 made positive psychological and spiritual "gains" at all levels of auditing,
15 from the lower stages of clearing to the higher "OT" levels as an "operating
16 thetan." While expressing some reservations about personally achieving all
17 the benefits that were promised at these various levels, he forthrightly
18 acknowledged that all these processes of auditing had produced worthwhile
19 results in his life. Id. at 361-363.

20 C. Mr. Aznaran Faithfully Served the Religious Institutions and
21 Activities of Scientology

22 46. Mr. Aznaran became an active Scientologist in the fall of 1972.
23 He, along with his wife Vicki Aznaran, became a fulltime member of the staff
24 of Church of Scientology Southwest Mission in Dallas in December of 1973. He
25 joined the Sea Organization in March of 1978 and transferred to the staff of
26 the Church of Scientology Flag Service Organization in Clearwater in July of
27 1978. During his stay at Flag, Mr. Aznaran continued his own auditing and
28

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1 training while he worked and held office in the division of Public Relations.
2 Id. at 325. Mr. Aznaran left Flag in 1981 for California where he held an
3 important position as Safety Officer and developed the security systems for
4 Gilman Hot Springs, Creston, and Newberry Springs. Id. at 373-400. As such,
5 Mr. Aznaran was in frequent contact with the higher levels of leadership in
6 the Church of Scientology. Among his last assignments were providing
7 protection for Dr. Gene Denk, who was Mr. Hubbard's personal physician, and
8 setting up and supervising the security at Mr. Hubbard's ranch after his
9 death. Id. at 388-390. Mr. Aznaran's history of service to highly sensitive
10 organizations within the Church of Scientology clearly demonstrates that he
11 was a devoted and trusted Scientologist.

12 47. Largely for personal reasons, Mr. Aznaran and his wife "routed out"
13 of their staff commitments and positions in the Church of Scientology in
14 April of 1987. R.A. Dep. II at 88-106. This formal separation did not
15 necessitate or involve a complete break with the Church of Scientology.
16 Indeed, Mr. Aznaran acknowledged that he wanted to remain a "public
17 scientologist" — a member in good standing who could receive the spiritual
18 services of the Church of Scientology. During the months following his
19 withdrawal from the staff, Mr. Aznaran exchanged amicable letters with
20 leaders of the Church of Scientology and worked to "upgrade" his spiritual
21 condition so he could begin receiving spiritual services again. Id. 199-208;
22 R.A. Dep. I at Ex. 150. Ironically, his major efforts to upgrade his
23 spiritual condition centered in helping the very friend who had originally
24 introduced him to Scientology. Gary Franks and his wife were estranged from
25 the Church of Scientology because of an outstanding debt for auditing
26 services that Mr. Franks had not paid. Mr. Aznaran, with the assistance of
27 his wife, not only provided "repair" auditing to both the Franks but he also
28

1 got Mr. Franks to pay off his debt to the Church. R.A. Dep. II at 200-202.
2 Furthermore, Mr. Aznaran characterized his assistance to Mr. Franks as an act
3 of gratitude: "He is the person who originally got me in the Church, and I
4 felt I owed him my help." Id. at 203. In short, Mr. Aznaran's continuing
5 appreciation for the beliefs and practices of the Church of Scientology even
6 after he had separated himself from staff responsibilities and involvements
7 clearly reflect a sense of their religious importance in his life.

8 D. Summary of Findings

9 48. As attested in his own depositions, Mr. Aznaran both believed and
10 practiced Scientology as a religion during his years as a member of the
11 Church of Scientology. To be sure, he repeatedly denied that his
12 participation in Scientology was religious in character. His denials were
13 similar in form to those tendered by his wife at her deposition. On the one
14 hand, he portrayed Scientology as an ersatz religion. On the other hand, he
15 insisted that he had been "brainwashed" into accepting these ersatz religious
16 beliefs and practices against his will. Id. at 179-185. But Mr. Aznaran's
17 strategies of denial are not convincing. His characterization of Scientology
18 as an aberrant religion depends on a persuasive definition of the term
19 "religion" that modern scholars and jurists have completely rejected. His
20 fallback claim that he was "brainwashed" is also an exercise in special
21 pleading. His "brainwashing" charge is a transparent ad hominem effort to
22 discredit religious beliefs and practices which he no longer finds compelling
23 or credible. But Mr. Aznaran's attempts at denying his religious involvement
24 in Scientology fail for more than reasons of faulty logic. His own words
25 have shown that he became a Scientologist because it promised salvation from
26 emotional and spiritual ills and that he firmly embraced Scientology's
27 religious beliefs and practices as well as faithfully served Scientology's
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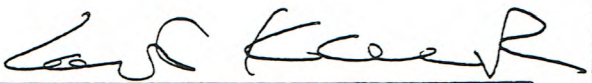
1 religious institutions and activities throughout his years as a member of the
2 Church of Scientology. However much his mind has changed since leaving the
3 Church in the winter of 1988, Richard N. Aznaran did understand and
4 experience Scientology in a religious manner throughout his fifteen years as
5 a member of the Church of Scientology.

6 IV.

7 CONCLUSION

8 49. By reason of my professional training and the extended scholarly
9 research which is summarized above, I am convinced that Scientology is a
10 religion in all respects of the word because it meets the scholarly
11 definition of any religious tradition, because it pursues the goals of any
12 religious quest, and because it exhibits the dimensions of any religious
13 community. Moreover, on the basis of my review of their oral depositions, I
14 am convinced that Vicki J. Aznaran and Richard N. Aznaran did join and
15 experience Scientology in a religious manner during their fifteen years of
16 active participation in the various programs and organizations of the Church
17 of Scientology.

18
19 I DECLARE UNDER PENALTY OF PERJURY under the laws of the United States
20 and the State of Texas that the forgoing is true and correct. Executed this
21 10th day of January, 1991, in Dallas County, Texas.

22
23 

24 LONNIE D. KLIEVER

CURRICULUM VITAE

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Marney Marie Kliever

EDUCATIONAL BACKGROUND:

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B.A. (Magna Cum Laude) 1955
Psychology and English

Union Theological Seminary
New York, NY

M.Div. (Cum Laude) 1959

Duke University
Durham, NC

Ph.D. 1963
Religion and Philosophy

PROFESSIONAL EXPERIENCE:

Department of Philosophy
University of Texas at El Paso
El Paso, TX

Assistant Professor of Philosophy 1962-64
Associate Professor of Philosophy 1964-65

Major teaching responsibilities in the area of
Philosophy of Religion, Philosophy of Science, Ethics
and Ethical Theory. Other courses taught in
Philosophy of History, Symbolic Logic and Contemporary
Philosophy.

Department of Religion
Trinity University
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Assistant Professor of Religion 1965-66
Associate Professor of Religion 1966-69

Major teaching responsibilities in the areas of contemporary religious thought and philosophical theology, both undergraduate and graduate levels. Special concentration on new styles of natural theology, the problem of religious language, and experiments in radical Christianity.

Department of Religious Studies
University of Windsor
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Associate Professor of Religious Studies 1969-71
Professor of Religious Studies 1971-75

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Major teaching responsibilities in the areas of contemporary religious thought and phenomenology of religion, both undergraduate and graduate levels. Special concentration on religion as a symbol system and religion in the social sciences.

Department of Religious Studies
Southern Methodist University
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Professor of Religious Studies 1975 —

Departmental Chair 1975-86

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American Academy of Religion
American Association of University Professors
American Theological Society
Canadian Society for the Study of Religion
Canadian Theological Society
Canadian Association of University Teachers
Society for the Scientific Study of Religion

PROFESSIONAL OFFICES:

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Chair, CSR Committee on Departmental Concerns
Board of Advisors, New Ecumenical Research Association
Editorial Board, Journal of the American Academy of Religion
Editorial Board, Studies in Religion/Sciences Religieuses
Sub-network Editor, Religious Studies Review
Editor, Association of Religious Studies Chairs Newsletter

SCHOLARLY PUBLICATIONS:

BOOKS:

Methodology and Christology in H. R. Niebuhr
(University Microfilm Service, 1963), 301 pp.

Radical Christianity: The New Theologies in Perspective
with John H. Hayes (Droke House/Grossett-Dunlap, 1968), 282 pp.

H. Richard Niebuhr
(Word Books Publishers, 1978), 205 pp.

The Shattered Spectrum: A Survey of Contemporary Theology
(John Knox Press, 1981), x + 240 pp.

The Terrible Meek: Revolution and Religion In Cross-cultural Perspective, ed. Lonnie D. Kliever (Paragon House Publishers, 1987), 259 + xvi pp.

Dax's Case: Essays in Medical Ethics and Human Meaning, ed. Lonnie D. Kliever (SMU Press, 1989), 240 pp.

ARTICLES:

- "Are You Brave Enough to Ask Questions?" The Baptist Student, 39 (February 1960), 8-11.
- "Committed to Commitment," The Baptist Student, 39 (July 1960), 8-12.
- "Are Moral Values So Important Anyway?" The Baptist Student, 41 (June 1962), 4-7.
- "Loving Is More Than Liking," The Baptist Student, XLVII (October 1967), 12-15.
- "General Baptist Origins: The Question of Anabaptist Influence," Mennonite Quarterly Review, XXVI (October 1962), 291-321.
- "Justice and Love in the Racial Crisis," Christianity Century, LXXXI (August 1964), 1055-57.
- "The New Morality: A Philosophical Analysis," Baptist Faculty Paper, (Fall 1967).
- "Mapping the Radical Theologies," Religion in Life, XXXVI (Spring 1967), 8-27.
- "Religion In Transition on the Church-Related Campus," Liberal Education, LV (May 1969), 305-12.
- "The Christology of H. Richard Niebuhr," Journal of Religion, 50 (January 1970), 33-57.
- "Moral Argument in the New Morality," Harvard Theological Review, 65 (January 1972), 53-90.
- "Alternative Conceptions of Religion as a Symbol System," Union Seminary Quarterly Review, xxvii (Winter 1972), 91-102.
- "A New Style Natural Theology," Philosophy of Religion and Theology (AAR Working Papers, 1972), 82-103.
- Story and Space: The Forgotten Dimension," Journal of the American Academy of Religion, XLV (June 1977), 529-63.
- "God or Gods?" in The Search for Absolute Values: Harmony among the Sciences (Proceedings of the Fifth International Conference on the Unity of the Sciences, 1976).

"Authority in a Pluralistic World," in The Search for Absolute Values in a Changing World (Proceedings of the Sixth International Conference on the Unity of the Sciences, 1977), 157-93.

"Polysymbolism and Modern Religiosity," Journal of Religion, 59 (April 1979), 169-94.

"Metaphor vs. Allegory," in Proceedings of the Virgin Islands' Seminar on Unification Theology, edited by Darroll Bryant (Rose of Sharon Books, 1980), 185-95.

"Fictive Religion: Rhetoric and Play," Journal of the American Academy of Religion, XLIX (December 1981), 657-69.

"The Unification Church as Metainstitution," in Ten Theologians Respond to the Unification Church, edited by Herbert Richardson (The Rose of Sharon Press, 1981), 61-74.

"Unification Social Hermeneutics: Theocratic or Bureaucratic?" in Hermeneutics and Horizons: The Shape of the Future, edited by Frank K. Flinn (Rose of Sharon Books, 1982), 365-71.

"Liberation Theology: The Somatic Revolution," in Trinity Studies in Religion: Festschrift in Honor of Guy H. Ranson (Trinity Press, 1982).

"Authority in a Pluralistic World," in Modernization: The Humanist Response and Its Promise and Problems, edited by Richard L. Rubenstein (Paragon House, 1982), 81-98.

"Unification Thought and Modern Theology," Religious Studies Review, 8 (July 1982), 214-21.

"Beyond Nature and History: Vahanian's Utopian Theology," Studies in Religion/Sciences Religieuses, 11 (1982), 321-24.

"All In the Family," New ERA Newsletter. IV (November-December 1982), 14.

"Je Crois," with Frank Flinn in New ERA Newsletter, V (Summer 1983), 1-4.

"Confessions of Unbelief: In Quest of the Vital Lie," Journal for the Scientific Study of Religion, 25 (March 1986), 102-15.

"Religion and the Democratization of Culture," in Spirit Matters: The World-wide Impact of Religion on Contemporary Politics, ed. Richard L. Rubenstein (Paragon House, 1987), 35-53.

"A Response to Vahanian," in God In Language, ed. Robert P. Scharlemann and Gilbert E. M. Ogutu (Paragon House, 1987), 207-212.

"The Two Voices of Job," The World & I, 2 (December, 1987), 383-93.

"Religion and Academic Freedom," Academe, 73 (January-February, 1988), 8-11.

"God and Games in Modern Culture," The World & I, 3 (October, 1988), 561-571.

"Academic Freedom and Church-Affiliated Universities," Texas Law Review, 66 (Fall, 1988), 701-704.

"Introduction," to Epitaphs for the Living: Words and Images in the Time of AIDS, photographs by Billy Howard (SMU Press, 1989).

"Ethics: The Wider View," Texas Journal, 12 (Fall/Winter, 1989), 12-14.

"Ethics in Intercollegiate Athletics," in Ethics in Higher Education, ed. William R. May (ACE/Mamillan Series on Higher Education, 1990).

"Radical Democratization and Radical Monotheism," in Religion and Global Order, eds. William R. Garrett and Roland Robertson (Paragon House, 1990).

"Liberalism in Search of a Political Agenda," in Religious Resurgence and Politics in the Contemporary World, ed. Emile Sahliyah (SUNY Press, 1990).

REVIEWS:

"The New Meaning of Treason by Rebecca West," El Paso Times Sunday Magazine (December 20, 1964), 19.

"Karl Barth by John Bowden," Journal of the American Academy of Religion, XLI (September 1973), 481.

"What Theologians Do edited by F. G. Healey," Encounter, 34 (Winter 1973), 70-71.

- "Nun, Witch Playmate: The Americanization of Sex by Herbert W. Richardson," Studies in Religion/Sciences Religieuses, (1973), 186-88.
- "The Edges of Language by Paul M. van Buren," Journal of the American Academy of Religion, XCLIII (June 1975), 383-86.
- "Narrative Elements and Religious Meanings by Wesley A. Kort," Perkins Journal, 30 (Fall 1976), 51-52.
- "John Wesley and Authority: A Psychological Perspective by Robert L. Moore," Perkins Journal, 30 (Fall 1976).
- "The New Polytheism: Rebirth of the Gods and Goddesses by David L. Miller," Journal of the American Academy of Religion, XLIV (December 1976), 745-46.
- "Revelation and Theology: An Analysis of the Barth-Harnack Correspondence of 1923 by H. Martin Rumscheidt," Studies in Religion/Sciences Religieuses, 6 (1976-77), 213-15.
- "Occultism, Witchcraft and Cultural Fashions by Mircea Eliade," Humanities Association Review, 28 (Spring 1977), 192-93.
- "Shaping the Future: Resources for the Post-Modern World by Frederick Ferre," Journal of the American Academy of Religion, XLVI (March 1978), 93.
- "Introduction to Theology: An Invitation to Reflection Upon the Christian Mythos by Theodore W. Jennings," Journal of the American Academy of Religion, XLVI (July 1978), 234-35.
- "Thomas Carlyle: Calvinist Without the Theology by Eloise M. Behnken," Religious Studies Review, 5 (January 1979), 142.
- "Carlyle and Emerson: Their Long Debate by Kenneth Marc Harris," Religious Studies Review, 5 (January 1979), 142.
- "Patterns of Grace: Human Experience as Word of God by Tom F. Driver," Religious Studies Review, 5 (July 1979), 227.
- "Art and the Theological Imagination by John W. Dixon, Jr.," Interpretation, (October 1979), 433-34.
- "Religion: The Social Context by Meredith B. McGuire," Religious Studies Review, 8 (October 1982), 353.
- "Triumphs of the Imagination: Literature in Christian Perspective by Leland Ryken," Religious Studies Review, 9 (October 1983), 369.

"A Complex Inheritance: The Idea of Self-Transcendence in the Theology of Henry James, Sr. by James G. Mosley, Jr." Religious Studies Review, 10 (January 1984), 62.

"Faith: Conversation with Contemporary Theologians edited by Teofilo Cabesterero," Religious Studies Review, 10 (January 1984), 54.

"Camus' Imperial Vision by Anthony Rizzuto," Religious Studies Review, 10 (January 1984), 63.

"Talking of God: An Introduction to Philosophical Analysis of Religious Language by Terrence W. Tilley," Religious Studies Review, 10 (January, 1984), 51.

"Religion: If There Is No God..." by Leszek Kolakowski," Religious Studies Review, 10 (January 1984), 53.

"Explanation and Power: The Control of Human Behavior by Morse Peckham," Religious Studies Review, 10 (April 1984), 154.

"The Arrogance of Humanism by David Ehrenfeld," Religious Studies Review, 10 (April 1984), 154.

"Karl Barth in Re-view: Posthumous Works Reviewed and Assessed edited by H. Martin Rumscheidt," Studies in Religion/Sciences Religieuses, 13 (1984), 108-109.

REPORTS:

"A National Honor Society in Religious Studies?" The Council on the Study of Religion BULLETIN, 9 (April 1978), 39-41.

"The Integrity of Undergraduate Programs" The Council on the Study of Religion BULLETIN, 11 (October 1980), 105-106.

"Academic Freedom and Tenure: Southwestern Adventist College," Academe, 71 (January-February 1985), 1A-9A.

CREATIVE ACTIVITY:

I was the Senior Humanities Advisor for the American Film Festival award-winning film "Dax's Case." This hour-long film, which was produced for Concern for Dying, Inc. of New York and partially funded by the Texas Committee for the Humanities, is the well-known case of a young burn victim's unsuccessful efforts to be allowed to die and his subsequent struggle to come to terms with life. "Dax's Case" is intended primarily for educational use, particularly in the training of medical, legal,

therapeutic and religious professionals but also in undergraduate courses dealing with questions of human meaning and value. I was involved in the entire three-year production of the film (1982-85). I assembled and chaired the Humanities Advisory Committee for the film. I conducted background studies of the principals, developed concept papers and co-authored narrative scripts for the film. I was involved in all stages of the on-site shooting and final editing of the film. I also authored a brief "study guide" to accompany the film for classroom use and have edited and contributed to a volume of essays dealing with the Cowart story from medical, legal, moral and religious viewpoints.

Two of my poems are published in an anthology of poetic, narrative and visual artworks by scientists, philosophers and historians: "Sunday Meditation" and "Death Panes," in The Other Side of the Rational Mind, compiled by Hendryk Skolimowski (International Cultural Foundation, 1989).

CURRENT RESEARCH:

RECENT SCHOLARLY PRESENTATIONS:

Four public lectures and two faculty workshops at a Humanities Workshop and Seminar on Comparative Religions for St. Phillip's College, San Antonio, TX, June 12-13, 1986.

Two papers as Fleming Scholar in Residence, Southwestern University, Georgetown, Tx, November 18-19, 1986.

"H. Richard Niebuhr's Radical Monotheism as a World Theology," Fifteenth International Conference on the Unity of the Sciences, Washington D.C., November 27-30, 1986.

One lecture for a Pre-professional Collaboration on Death and Dying for Concern for Dying, Inc., San Francisco, CA, January 2-5, 1987.

Chairing and directing a two-year "Consultation on the Spatial Dimension of Religious Life" for the American Academy of Religion, 1987-88.

"Religion and Academic Freedom," National Meeting of the American Association of University Professors, Los Angeles, 17 June 1987.

"The Place of Play in Religion and Culture," Nebraska Wesleyan University Forum Series, Lincoln, 28 August 1987.

- "Toward a World Theology," The Philosophers' Forum, Dallas, 22 September 1987.
- "Radical Democratization and Radical Monotheism," New ERA Conference on "Religion and the Quest for Global Order, St. Martins, 10 October 1987.
- "Response to Charles Curran's, Academic Freedom and Catholic Institutions of Higher Learning," Symposium on Academic Freedom, Austin, 16 October 1987.
- "Dax and Job: The Refusal of Redemptive Suffering," Department of Religious Studies Colloquy, Dallas, 12 November 1987.
- "This Is My Body: Embodiment and Worldmaking," National American Academy of Religion, Boston, 6 December 1987.
- One lecture for a Pre-professional Collaboration on Dying in a System of Good Care for Concern for Dying, Inc., San Francisco, 17 January 1988.
- "Religion, Values and the Sports World, 1988 Mars Hill College Symposium on Citizenship and Faith, Mars Hill, 29 February 1988.
- "Mannheim and Niebuhr on Global Order," Southwest Regional American of Religion, Dallas, 11 March 1988.
- "Liberalism in Search of a Political Agenda," North Texas State University Conference on Religious Resurgence and Politics in the Contemporary World, 5 April 1988.
- "The Place of Play in Religion and Culture," Canadian Society for the Study of Religion, Windsor, 31 May 1988.
- Panel on "Sports and College Athletics Programs," for National Meeting of the AAUP, Washington, D.C., 17 June 1988.
- "This Is My Body: Embodiment and Worldmaking," SMU Religious Studies Colloquy, Dallas, 6 October 1988.
- "Religion, Values and the Sports World," Faculty Forum of the University of Texas School of Law, Austin, 14 October 1988.
- "Religion in the U.S. Election Campaign," for Public Forum on God and Politics, Halifax, Canada, 3 November 1988.
- Chaired final meeting of "The Spatial Dimension of Religious Life Consultation" at national meeting of American Academy of Religion, Chicago 21 November 1988.

"I WANT TO DIE: Rational Demand or Failure of the Imagination?"
Panel on "Religion, Ethics, and Euthanasia," at national
meeting of the American Academy of Religion in Anaheim,
November 1989.

"Moral Education in a Pluralistic World," for Problems in
Knowledge Faculty Seminar, Duke University in Durham, December
1989.

"Ethical Issues in Intercollegiate Athletics," at the joint
national meeting of the American Culture Association and the
Popular Culture Association in Toronto, March 1990.

RESEARCH AND PUBLICATION PROJECTS:

Researching and writing a monograph on a radical theory of the
religious imagination which analyzes religious symbols as
fictive constructs and necessary illusions, with special
attention to myth and autobiography.

Researching a monograph on a new theory of world construction
and maintenance which grounds religious and cultural symbol
systems in human embodiment, particularly the body in pain and
the body as healed.